

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SINGULAR COMPUTING LLC,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 1:19-cv-12551 FDS

Hon. F. Dennis Saylor IV

**DECLARATION OF CHRISTOPHER S. SUN IN SUPPORT OF
MOTION FOR PROTECTIVE ORDER**

I, Christopher S. Sun, declare and state as follows:

1. I am an attorney licensed to practice law in the State of California and admitted to practice before this Court. I am an attorney at the law firm of Kecker, Van Nest and Peters LLP and counsel for Defendant Google LLC (“Google”) in the above-captioned action.

2. I make this Declaration in support of Google’s Motion for Protective Order. I have personal knowledge of the facts stated herein and, if called as a witness, I could testify to them competently under oath.

3. On July 16, 2021, counsel for Plaintiff Singular Computing LLC (“Singular”) deposed three of Google’s four Rule 30(b)(6) witnesses: Nishant Patil, Normal Jouppi, and James Maccoun. At no point before or during any of these depositions did Singular raise any serious concerns about the scope of testimony being offered nor did Singular make any attempt to keep any of the three depositions open.

4. I attended the deposition of Kamran Shafiei on July 20, 2021. Before the deposition began, my colleague Michelle Ybarra met and conferred with Michael Ercolini, counsel for Singular, regarding the scope of Mr. Shafiei’s testimony. I considered Mr. Ercolini’s tone during that conference to be inappropriate.

5. Attached as **Exhibit A** is a true and correct copy of the discovery hearing transcript, dated June 30, 2021.

6. Attached as **Exhibit B** is a true and correct copy of Singular’s Notice of Deposition of Google LLC Pursuant to Fed. R. Civ. P. 30(B)(6), dated May 5, 2021.

7. Attached as **Exhibit C** is a true and correct copy of correspondence from Matthias Kamber to counsel for Singular, dated July 2, 2021. Google did not receive any response to this correspondence.

8. Attached as **Exhibit D** is a true and correct copy of correspondence from Andrew Bruns to Michael Thompson dated July 6, 2021. Google did not receive a response to this correspondence.

9. Attached as **Exhibit E** is a true and correct copy of an email exchange between Christopher Sun and Michael Ercolini, dated July 19-20, 2021.

10. Attached as **Exhibit F** is a true and correct copy of the deposition transcript of Kamran Shafiei, dated July 20, 2021.

11. Attached as **Exhibit G** is a table providing excerpts of from the deposition transcripts of various witnesses wherein counsel for Singular engaged in unprofessional or inappropriate conduct.

12. Attached as **Exhibit H** is a true and correct copy of a video recording of the deposition transcript of Kamran Shafiei, dated July 20, 2021.

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct and that this declaration was executed July 21, 2021, at San Francisco, California.

/s/ Christopher S. Sun
CHRISTOPHER S. SUN

CERTIFICATE OF SERVICE

I certify that this document is being filed through the Court's electronic filing system, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF). Any counsel for other parties who are not registered participants are being served by first class mail on the date of electronic filing.

/s/ Christopher S. Sun
CHRISTOPHER S. SUN